

REMARKS

Claims 3-4, 8-9, 11-12, 15-16, and 19-21 are currently pending in the application.

On page 3 of the Office Action, claim 19 was rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,421,777 B1 (Pierre-Louis).

In Pierre-Louis, at power up of the client data processing system, an image request is sent to the server data processing system from the client data processing system. According to Pierre-Louis, in response to an indication that the client data processing system needs to be rebooted, a new boot image is selected and sent to the client data processing system, if needed.

Applicants respectfully submit that independent claim 19 is patentable over the reference, as Pierre-Louis fails to disclose, "wherein said server includes a manager issuing a client switching instruction instructing said client to boot locally or remotely," as recited in claim 19. In contrast to the present invention, Pierre-Louis specifically states that its workstation "starts up" by asking the RIPL server to send a bootstrap program." See Pierre-Louis, column 6, lines 21-32. Therefore, Pierre-Louis fails to disclose a server including a manager issuing a client switching instruction instructing the client to boot locally or remotely, as Pierre-Louis' workstation simply boots itself with a bootstrap program, without a switching instruction being issued.

On page 3 of the Office Action, claims 20-21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,209,089 (Seli) in view of U.S. Patent No. 6,421,777 (Pierre-Louis).

On page 4 of the Office Action, the Examiner acknowledged that Seli fails to disclose a server issuing a client switching instruction. The Examiner alleged, however, that Pierre-Louis teaches the feature. Applicants respectfully submit that the combination of Seli and Pierre-Louis teaches away from the present invention. For example, Pierre-Louis simply utilizes a boot process in which the RIPL server sends the workstation a bootstrap program to allow the workstation to boot. Therefore, in contrast to the present invention, Pierre-Louis simply discloses booting a workstation from a local program without a switching instruction being issued.

On page 5 of the Office Action, claims 3, 8, and 11 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,209,089 (Seli) in view of U.S. Patent No. 6,421,777 (Pierre-Louis) in further view of U.S. Patent Publication No. 20020156965 (Gusler).

As Gusler fails to cure the deficiencies of Seli and Pierre-Louis regarding the switching instruction, for example, claims 3, 8, and 11 are patentable over the references for at least the reasons presented above.

On page 8 of the Office Action, claims 4 and 9 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,209,089 (Seli) in view of Pierre-Louis and in further view of U.S. Patent No. 6,487,718 (Rodriguez). As Rodriguez is directed to simply installing an application on a client computer, Rodriguez fails to cure the deficiencies of the cited references. Therefore, claims 4 and 9 are patentable over the reference for at least the reasons presented above.

Applicants respectfully submit that dependent claims 12, 15, and 16, via their respective independent claims, are patentable over all cited references, as Gusler and Cheffetz fail to cure the deficiencies of the remaining cited references.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 

Reginald D. Lucas
Registration No. 46,883

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501